

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRIUMPH AEROSTRUCTURES, LLC, a
Delaware limited liability company.

Plaintiff,

V.

UMBRA CUSCINETTI, INC., a Washington corporation,

Defendant.

No. 2:18-cv-00142

ORDER GRANTING PLAINTIFF'S MOTION TO SEAL

This matter comes before the Court on Plaintiff's motion to seal, Dkt. # 9.

Defendant does not oppose the motion.

Federal Rule of Civil Procedure 5.2(d) permits parties to file documents under seal. Local Rule 5(g) supplements the federal rule, requiring parties filing documents under seal to support their filing by motion. W.D. Wash. LCR 5(g)(2)(B). Documents submitted for consideration remain under seal until the court makes its determination.

Id.

Allowing parties to file court documents under seal is an exception to the general rule that the public should have a “right to inspect and copy public records and documents[.]” *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir.

ORDER

1 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 (1978)). Parties
2 seeking to shield portions of court filings from public inspection must provide
3 “compelling reasons” for sealing that outweigh the public’s interest in understanding all
4 aspects of the judicial process. *Id.* at 1178–79. Courts must base any decision to seal
5 documents on a compelling reason without relying on hypothesis or conjecture. *Id.* at
6 1179. One such compelling reason is the protection of “business information that might
7 harm a litigant’s competitive standing.” *Nixon*, 435 U.S. at 598.

8 Having reviewed the record, the Court finds that Plaintiff, procedurally and
9 substantively, made the proper showing to support the partial sealing of documents. The
10 Court finds Plaintiff’s argument compelling: unsealing documents containing sensitive
11 business information has the potential to harm Plaintiff’s competitive standing.
12 Accordingly, the Court **GRANTS** Plaintiff’s motion to seal.

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14 DATED this 24th day of April, 2018.

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18 The Honorable Richard A. Jones
19 United States District Judge
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ORDER